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## AN OPEN LETTER FROM THE BOARD TO MEMBERS OF THE MRA

Dear Members,

In an effort to suppress the internal upheavals, which have plagued the MRA during its recent history, your Board wishes to address several fundamental issues, which directly concern each and every member.

All of us would be well aware that Damien Codognotto, since resigning as President, has been a continual problem for all successors, who for some reason or another have either stepped down or resigned due to his interference. This is not consistent with the "democracy" which Damien claims to favour.

In March 2003, Damien Codognotto was invited to attend a meeting with a view to reconciling "differences" and was asked at that meeting to put forward a proposal as to how to work in harmony with the Board for the well being of the MRA. Instead, it was at this meeting, to which he had been invited in good faith, that he verbally threatened the President in the present of all attendees, including Grace Placencio, Marcel Gomperts, Anton Lange, Faye Kerridge, Heather Ellis and Michael Czajka.

It was at this March meeting that Damien Codognotto voiced his anger regarding the purported loan allegedly owed to him by the MRA. A loan for which he cannot provide any supporting documentation. When asked by the Board to produce some documents, with a view to honouring the debt, Damien said, "Forget about the money. This is between you and me Alex and we will take it outside." It was this comment, together with the bodily threatening gestures and violent actions that resulted in the President making application for an Intervention Order. Had Damien offered to produce records about the "loan", we wouldn't be in this predicament.

Whereas Damien Codognotto is of the opinion that he has cost the MRA "no money" by having Michael Czajka assist him in Court free of charge, the reality is that, in having appealed to the County Court without legal cause, he is directly responsible for the expense incurred in defending the Appeal. Whether the costs are paid by the MRA, or the President himself, Damien should consider himself fortunate that the President was decent enough not to seek a cost order against Damien in the County Court, which almost certainly would have been granted.

The Board is of the firm opinion that Michael Czajka is a valuable asset to the MRA, but given the conflict of interest that has arisen in having Michael represent and assist Damien in his failed court case, it is improper and unethical for Michael to continue to sit as a member of the Board. Michael has been asked to stand down from his position momentarily, in an attempt to regain some stability in the Board. However, the Board is unanimous that, in the interests of the MRA and motorcycling in general, Michael should continue his valuable work in the Road Safety sphere.

Members may be aware that on 14 May 2003 the Magistrates' Court of Victoria at Dandenong made an Intervention Order in a matter involving Mr. Alex Money, MRAA President and Mr. Damien Codognotto, MRAA Member.

Mr. Codognotto exercised his right to appeal against the Order made by the Court at Dandenong. That appeal was listed for hearing on 16 July 2003 in the County Court of Victoria at Melbourne. Judge Campton, after hearing all the available evidence, upheld the Intervention Order, prohibiting Mr. Codognotto from assaulting, intimidating or harassing Mr. Money.

Out of due respect for the legal process, the President and the Board chose to say nothing about the matter in the public arena during the period leading up to and including the initial hearing and the appeal. It was the tactic, however of Mr. Codognotto to attempt to rally support for himself by continued publication of false and misleading material which bordered on slander and defamation.

It is now imperative that we let you know the reasons for the application for the Order and the relevant outcome. The points raised below formed part of the evidence given before the Courts by the witnesses in the case. Judge Campton of the County Court accepted these facts in her summation, as did the Dandenong Magistrates court. A typed transcript of the Magistrates summary is enclosed.

On 31 August 2002, at the MRAA AGM, Mr. Codognotto took the newly elected President, Mr. Money, aside and issued a direct threat.

In September 2002, at the offices of the TAC, Mr. Codognotto attempted to take sensitive documents from the custody of Mr. Marcel Gomperts, MRAA Vice President.

From September 2002 until March 2003 Mr. Codognotto sent an unacceptable amount of email messages to Mr. Money, despite requests for this unwanted contact to cease, requiring an ISP block to be put into operation in October 2002.

On 23 November 2002, at the MRAA QGM, Mr. Codognotto again attempted to take the President aside but, failing in his attempt, confronted him after the meeting to again issue a definite threat.

On 18 March 2003, at a Special Board Meeting, called to reach a workable relationship between Mr. Codognotto and the Board, Mr. Codognotto threatened physical violence to Mr. Money, several people had to come to the defence of the President and the meeting had to be brought to a premature close. Following the meeting, Mr. Money was further threatened, and then assaulted by Mr. Codognotto.

On 21 March 2003, Mr. Codognotto was the subject of an interim Intervention Order prohibiting stalking, intimidating, assaulting, harassing or threatening Mr. Money.

On 14 May 2003, Mr. Codognotto was the subject of an Intervention Order prohibiting stalking, intimidating, assaulting, harassing or threatening Mr. Money.

On 16 July 2003, at the County Court, Mr. Codognotto appealed the Intervention Order, however Judge Campton held that the complaints were proven and the Intervention Order will remain in force until 14 May 2004.

Both the Magistrate at Dandenong and Judge Campton at the County Court were satisfied that Mr. Codognotto engaged in a course of conduct designed to instill fear of physical and mental trauma in the victim(s).

We had been advised that Mr. Gomperts and Mr. Money had grounds to lodge complaints with the Police regarding these matters, however it was decided the less provocative alternative of applying for an Intervention Order would be less public for the MRAA and not immediately put Mr. Codognotto at risk of criminal charges.

A breach of the Intervention Order by Mr. Codognotto, or any person on his behalf, may lead to the imposition of the maximum penalties of a \$24,000.00 fine or 2 years imprisonment.

The actions of Mr. Money in making application for this Order were made with the knowledge and sanction of the Board and other Officers. This decision has been vindicated by the resultant findings of both Courts. It is the wish of the Board that the findings of the Court are the finalisation of the matter, but we are ready to defend our actions, should the situation be aggravated.

You have heard and seen the supposed comings and goings of all of these proceedings emanating from Mr. Codognotto and this communication from your Board is intended as a statement of the facts for your assessment. All relevant material has been made available to you all in a genuine effort to give a clear and accurate account of this and any other subject under question. A full transcript of the Dandenong Magistrates Court hearing of May 14 can be made available to any interested parties.

The decision to make application for an Intervention Order was not taken lightly, it is everyone's right to seek protection from Stalking, Harassment, Intimidation, Assault and Threat and this action was taken, not as Mr. Codognotto would have us believe in an attempt to gag him, or prevent his attendance at MRA meetings, but to protect an elected Officer of the MRAA against personal attack. The Intervention order is in no way related to an alleged loan, nor any matter unrelated to the allegations contained in the original application.

In closing, we are rock-solid in our affirmation that the Board has the interests of both the MRA and the Motorcycling Community as our highest priority, but feel that as volunteers, the slander and malicious attacks on us, individually and collectively are distressing in the extreme and cannot be tolerated any longer. To expect anyone to be subjected to the nature and degree of abuse and denigration is totally unacceptable. No Board can be possibly expected to function effectively under the openly hostile environment which has encompassed the MRA over the past two to three years.

We, your Board look forward to your contribution in working through the current unstable times to build a stronger, more focused association.

The Board of the Motorcycle Riders Association of Australia Inc.

**INTERVENTION ORDER APPLICATION AT DANDENONG MAGISTRATES COURT, MAY 14 2003**

**Applicant: Alex Money, Defendant: Damien Codognotto**

**SUMMARY BY MAGISTRATE HARBER**

"In this matter, I have to be satisfied on balance, of course, that stalking has taken place and there is a likelihood that it will take place in the future.

Stalking, as defined by the Supreme Court, is basically a course of conduct, which is intended to put a person in physical fear or fear for their mental well-being and there are certain qualifications to that and that there is an intention of the person carrying out the conduct to achieve those various aims, or one of the aims.

In relation to the evidence, I have no hesitation in accepting, by and large, the evidence of Mr. Money. I have found him to be an honest, accurate and believable witness in this Court. In summary, what his evidence suggests and I accept this, that firstly on achieving the status of President of this association, and I must say in parenthesis, that I do not buy in. in **any** way, to the disputes that are going on in this association, that is not what stalking is about and it is not designed to settle disputes in this association, but having achieved the level of President, which I am sure he now regrets, firstly he has been **inundated** in both September and October, by a total of 125 faxes. Now, while the Court accepts that as President of an association, one should expect to receive communications from interested members, 125 faxes in two months borders on harassment, in my view.

He indicates, that is Mr. Money indicates that he requested the defendant to stop that inundation. It was not stopped until he put a block on his e-mails and that the defendant concedes, as I understood his evidence, that at best, in February he had Mr. Money's name removed from his e-mail list.

In November, at the Quarterly General Meeting, Mr. Money says, and I accept that the defendant takes him aside and says, 'Don't ever get me off-side, you will regret it for the rest of your life' – That is a clear threat and I accept it as such, as indeed did Mr. Money.

On March 18, at a heated meeting, and if it remained a heated meeting, this Court would not be concerned about **internal** politics, **internal** heat. **Internal** discussions of these types of organisations, this Court is not concerned about. It went far further than that, in my view. I am quite satisfied, on the evidence of both Mr. Money, Miss Kerridge, Mr Gomperts and Mr Lange, that Mr. Codognotto, albeit as he says, he momentarily regrets things that he said, I am quite satisfied that he, in colloquial terms, 'Got into the face' of Mr. Money and **clearly and deliberately** threatened him with an assault **outside**, and he was constantly requesting Mr. Money to '**Go outside and be dealt with**'. That is a **clear, present threat** to Mr. Money and in the light of both the inundation of faxes, the phone calls, whether there were two or whether there were more than two, this Court is not able to say, but it was something that was not desired by Mr. Money. In the clear light of the threat in November, the threats in March were clearly an on-going course of conduct that Mr Codognotto was directing at Mr Money, that put Mr. Money clearly **in fear**, understandably so, and it was quite Mr. Codognotto's intention to put him in fear.

All the grounds for making an Order in this Case are therefore satisfied, I propose to make an Order, I propose to make an Order that lasts for 12 months, prohibiting Mr. Codognotto from stalking, assaulting, harassing, threatening, or intimidating Mr. Money, attending at his premises, or having any further contact of **any sort** with Mr. Money. As I say, they will last for 12 months, and I have got to warn you, Mr. Codognotto, that if you breach these orders, there is up to two years imprisonment and/or \$24,000.00 in fines."

Magistrate: "One question, and one question only"

Mr. Codognotto: "Your Worship, May I still continue my duties at VicRoads, I've got er.....?"

Magistrate: "You can do whatever you like in this community, Mr. Codognotto, but you are to have no further contact with Mr. Money."

Mr. Codognotto: "That requires me going to MRA meetings....."

Magistrate: "Absolutely, and you can, as indeed can Mr. Money, there is no need for you to speak to him, to converse with him, to be in his face intentionally.

That's it gentlemen, thank you, you can wait outside, I'll see that copies of those orders are brought outside in a moment."





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November 15 2002

Mr D K Codognotto  
PO Box 3091  
The Pines Vic 3109

Dear Sir,

The Board of the Motorcycle Riders Association is currently engaged in the establishment of proper financial records of the organisation.

It has come to the notice of the Board that the MRA draws a cheque in your name each month to the value of \$200.00. We are informed that this amount is a monthly instalment on a loan made by you to the MRA, but an examination of the Associations' records has failed to locate any evidence as to the original amount of the loan, the commencement date of the loan, or the interest rate, if any, calculated on the loan principal.

With this in mind, I ask that you forward to the Board, by Friday November 22<sup>nd</sup>, a signed copy of the original contract for the alleged loan, detailing the reason for the loan, as well as the above information.

Yours sincerely,

Alex Money  
President MRAA



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January 21, 2003

Mr D K Codognotto  
PO Box 3091  
The Pines Vic 3109

Dear Sir,

**FINAL NOTICE**

We refer to our letter of November 15, 2002 and our request for detailed information in relation to the loan you allege the MRA owes to you.

At the time of writing, we have not received the information required to substantiate your claim and with this in mind, you are advised that no further payments will be authorised without the provision of supporting documentation.

We must once again request that you forward to us, a signed copy of the original contract for the alleged loan, which details the reason for the alleged loan, the commencement date and term of the alleged loan, as well as the amount of the principal and the interest rate, if any.

In our original correspondence we asked that you supply the information by November 22, 2002 and we feel that we have been more than patient in this matter. Your urgent attention to this, our final request, is now critical.

Yours sincerely,

Alex Money  
President MRAA



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March 12, 2003

Mr D K Codognotto  
PO Box 3091  
The Pines Vic 3109

Dear Damien,

I advise that a meeting of the MRA Board has been scheduled for next Tuesday, March 18 and I would be pleased if you could attend.

In extending an invitation to you, I would like to point out that the intention of our meeting is, not to argue about our individual rights or wrongs, but to hopefully establish some constructive, workable relationships for the benefit of us all within the MRA.

I trust that within the intimacy of a semi formal meeting, it maybe possible to resolve what most people perceive as abrasive differences. There seems to be a myriad of issues which are continually boiling under the surface, leading to a total waste of unproductive energy and well as unnecessary criticism from all of us, preventing our advancement as an organisation.

Many of us are well aware of the contribution that you have made toward the betterment of motorcycling, not only here in Victoria, but right around the Nation. These positives have not gone unnoticed, I can assure you and I believe that the time has come endeavour to strike up some meaningful dialogue in an effort to establish a realistic level of mutual respect.

The agenda for the meeting is suggested as:

Venue : 22 Ross Street South Melbourne

Time : 7:30PM

Attendees: A. Money; D Codognotto; G Placencio; S Rosenbaum; M Gomperts; A Lange; F Kerridge; M Czajka; H Ellis.

#### Agenda

1. Level calibre of contribution.
2. Details of loan: Nature; Term; Amount.
3. Code of conduct
4. Close

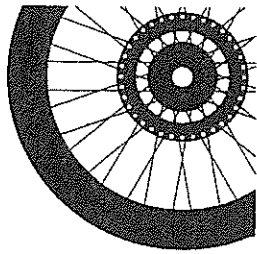
I look forward to a fully productive meeting and thank you in advance for your participation and sincerely trust that we are able to reach some common ground on the night.

Yours sincerely,

Alex Money  
President MRAA







- **AGAINST THE ODDS**
- **LEADERSHIP**
- **WHO ARE THE MRA?**

Whenever a contentious issue arises relating to the motorcycle community, it should come as no surprise that the MRA is the name most often mentioned in the media, acknowledged by the public and called for by riders. But, who are the MRA? Why does the MRA name rate so highly? To answer these questions we must look at the caliber of the MRA leadership and examine their achievements. All members of the Board are active riders.

The MRA functions under the leadership of Alex Money, President. As a Senior Executive in the commercial world, Alex possesses considerable leadership experience and business management skills. He is currently involved in rebuilding the Egg Industry in Victoria, establishing a new concept in a production facility worth many \$millions. In addition, Alex has worked in the media (specifically radio 3AW/3AK) and is able to go direct to many media sources not available to ordinary people. Over his career Alex has also established many high profile relationships within the community, which have proven to be of great value to the MRA. The unparalleled media exposure and success of recent MRA activities, e.g. protest rides, is a tribute to Alex, the Board, and other volunteers coordinated by the Board.

As support to Alex, MRA Vice President Marcel Gomperts is the epitome of hard work, not only is Marcel invariably found at 'the sharp end' of the MRA major event management planning and policy development, he has been a Company Director for many years. He is well versed in developing complex business management plans and has operated within the public and corporate world. Marcel has a proven track record within the MRA, including acting President in 2002 following the tragic death of our President. Marcel has managed and organized several successful MRA major events, and is instrumental in the ongoing functions of the MRA committees. Marcel has been active in networking with the motoring and motorcycling communities, as well as with charity and community organisations. Marcel is passionate about motorcycling issues, along with his beloved K12 BM.

The Secretary of the MRA is Dr Simon Rosenbaum, a high profile Cosmetic Surgeon, who is also a company director managing large surgical practices in Melbourne and Brisbane. Simon understands business and legal matters and is able to put the MRA in touch with the "right people" when required. Simon's staff answer MRA telephone inquiries during business hours (providing human contact) and Simon quite often finds himself dealing directly with people who call the MRA almost every day of the week. Simon makes his boardroom and office facilities available to the MRA.

The financial management of the MRA is in the capable hands of John Karmouche, a Duntroon Graduate with 22 years military experience. John now runs his own Harley Rides business and actually gets paid to ride his Harley 50,000 km every year. John is well known for the position he has taken on many motorcycle issues and for being vocal on talkback radio. John has been instrumental in getting the newly acquired Quick Books Accounting package integrated into the MRA administrative systems.

The management of the MRA membership database and co-ordination of MRA Volunteers is performed by Membership Secretary Anton Lange (volunteer), also a retired Army Officer. Anton spends endless hours updating the cumbersome MRA database, sending out memberships and renewals, coordinating the daily correspondence and email enquiries and performing general administrative and maintenance tasks. Anton was instrumental in organizing the MRA Poker Run and is responsible for our Social Rides. Anton's passion for motorcycle issues is unquestionable, he is always to be seen in the front line at awareness rides and protest events. Anton has shown an extraordinary level of compassion toward a MRA member and family, following an unfortunate incident during a recent MRA social ride. Anton continues to provide unselfish support for the MRA.

A major supporter of the MRA, is Grace Placencio, our tireless Public Officer, Grace is a Personal Injury lawyer, specializing in motorcycle injury claims. Grace provides the MRA with a valuable legal resource and not only gives willingly of much of her time to the MRA, but also donates many \$thousands back to the MRA from the many successful cases she has prosecuted on behalf of injured riders. Grace can be often found in some of our major hospitals, at the bedside of those unfortunate enough to find themselves on the wrong end of a collision, her clients, past and present can give testimony to the diligence and care, with which each case is approached.

Ordinary Board Member Michael Czajka has dedicated many years to ensuring that the MRA interfaces with all the external agencies that deal with motorcycle safety issues. Michael is the MRA's representative on the Victorian Motorcycle Advisory Council, which reports directly the Minister for Transport. He also maintains an Internet Research Resource and has been active, with other volunteers, in establishing the MRA website.

Given the calibre of the people who have volunteered their time, and who have accepted the responsibility of leadership within the MRA, what have they achieved in the last 18 months?

### Events

October 2002 MRA Oz GP Run

December 2002 MRA Toy Run - the largest and most successful Toy Run in the history of the MRA.

F1 GP Motorcycle Parking - has been conducted at every GP.

January 2003 - 1<sup>st</sup> MRA John Pigot Memorial Poker Run

### Relationships

In 2001 the TAC sought to establish contact with the motorcycle community and approached the MRA for a point of contact. Before his untimely death the then President John Pigot established a relationship with the TAC which led to the MRA becoming the primary advisors for the "Vice-versa" motorcycle advertisement safety campaign. Alex Money has continued to develop the rapport, which was set up by John Pigot. The TAC has recognized their relationship with the MRA by sponsoring the 2002 MRA Toy Run and are proposing sponsorship of the MRA Oz GP Run and Toy Run in 2003. They have also recognized MRA input by calling on the MRA to advise in the development of the TAC website [www.spokes.com.au](http://www.spokes.com.au) and have even published material submitted by one of our own MRA members (John Karmouche) on the site.

In January 2003, through one of his many community contacts, Alex Money launched a Motorcycle Safety Campaign in partnership with the Victorian Police Force.

Both Alex Money and Marcel Gomperts have given freely of their precious time, during the day and after hours, meeting with executives of The Smith Family, AGPC, City of Melbourne, City of Hobsons Bay, City of Casey, Honda Australia, Southern Cross Promotions and many, many more strategic corporate identities, organizing MRA events and promotions.

Footpath Parking became a major issue in 2003. The MRA was instrumental in stopping the indiscriminate plans to make changes to the current system. Alex Money recently wrote to the Melbourne City Council to clarify the motorcycle community's position on this subject.

The MRA formed a partnership with Netrider in 2003 and together they were able to promote the recent (July 2003) Government Waste Awareness Ride. Using Netriders extensive Internet Database it was possible to reach a wide audience in a very short period of time. The MRA then took on the role as the public face and the media focused their attention on Alex Money, who became, not only the spokesperson for the event, but the focus for negotiations with Police and Citylink, leaving John Karmouche and Vic Fkiaris to get on with the internal mechanics of attracting the 1000 riders who ultimately attended the ride.

The Front Number Plates/Government Waste Awareness Rides has helped to demonstrate the positive outcomes of dealing with Citylink and other authorities in an open and frank forum which has allowed us to enhance the public face of the MRA and motorcyclists in general, to show a level of responsibility and courtesy, unexpected or anticipated by the mainstream Media.

#### Social Rides

The MRA now holds monthly Social Rides. These rides are co-ordinated by Anton Lange who is supported by a team of enthusiastic volunteers.

#### Web Site

The MRA now has a web site that changes daily and is constantly updated. In recent weeks Alex Money has been able to use this medium to announce what the MRA has been up to and where it is headed. The web site is maintained by another team of highly capable volunteers.

#### Media Releases

Over the last six months the MRA has put out on average two or more Media Releases per month. In some instances the Media choose to ignore what the MRA is saying simply because there are too many other things in the news at that time. But, sometimes a release does get picked up and the MRA name gets out into the community. The Board utilizes the services of REHAME media monitoring services whenever a major issue is in the news. Interestingly, Front Number Plates and the Citylink Tunnel Awareness Ride generated one of the largest media responses ever seen by REHAME.

Communication with members is an expensive process. To address this problem the MRA Board has decided to issue regular Media Releases, in order to get the word out that it is doing something. Like it or not, this is the only alternative. The results of the recent Government Waste Awareness Ride certainly proved that this approach does generate new members.

#### Membership Drive

Over the next 6 months major initiatives will be undertaken to increase the visibility and membership of the MRA. More active use of email and even SMS to communicate with members is planned.

### Expense reduction and income generation

Over the next few months, further measures to reduce operating costs will be completed, and new sources of revenue, such as commercial sponsorship, will be explored. There have already been some early successes in this direction.

### MRA 2003

In conclusion, it can be seen that there is much going on within the MRA. The people at the coal-face are a pretty humble bunch. They get on and do what has to be done without asking for, nor expecting recognition for their efforts. The MRA now has increasing membership, and the often heard cry. "But what is the MRA doing?" is probably caused by the fact that the people doing the work are too focused on action and don't want to be seen to be claiming the limelight.

The time, dedication and effort given by your Executive Board cannot and should not be measured in dollars lost or accolades unrecorded, these people are volunteers who have pledged their support because they, like the majority of members, have a genuine love for the MRA as an organization and motorcycling as a lifestyle.

The current Board firmly believes that its professional approach to representing motorcycling issues has been very successful, and we will continue to represent the interests of our members and the wider motorcycling community as hard as we can. It would be unrealistic to expect to win all the battles, but we have had victories with many, and will continue to forcibly advance our position wherever possible, through education, negotiation, and where needed, demonstrations and/or confrontation.

We have resisted as much as possible being sidetracked by a minority of attention seeking members who believe that the policies of the past are still suited to dealing with contemporary issues, and who have personal issues with the MRA Board.

*We need the mandate of our members to get on with the job.*

